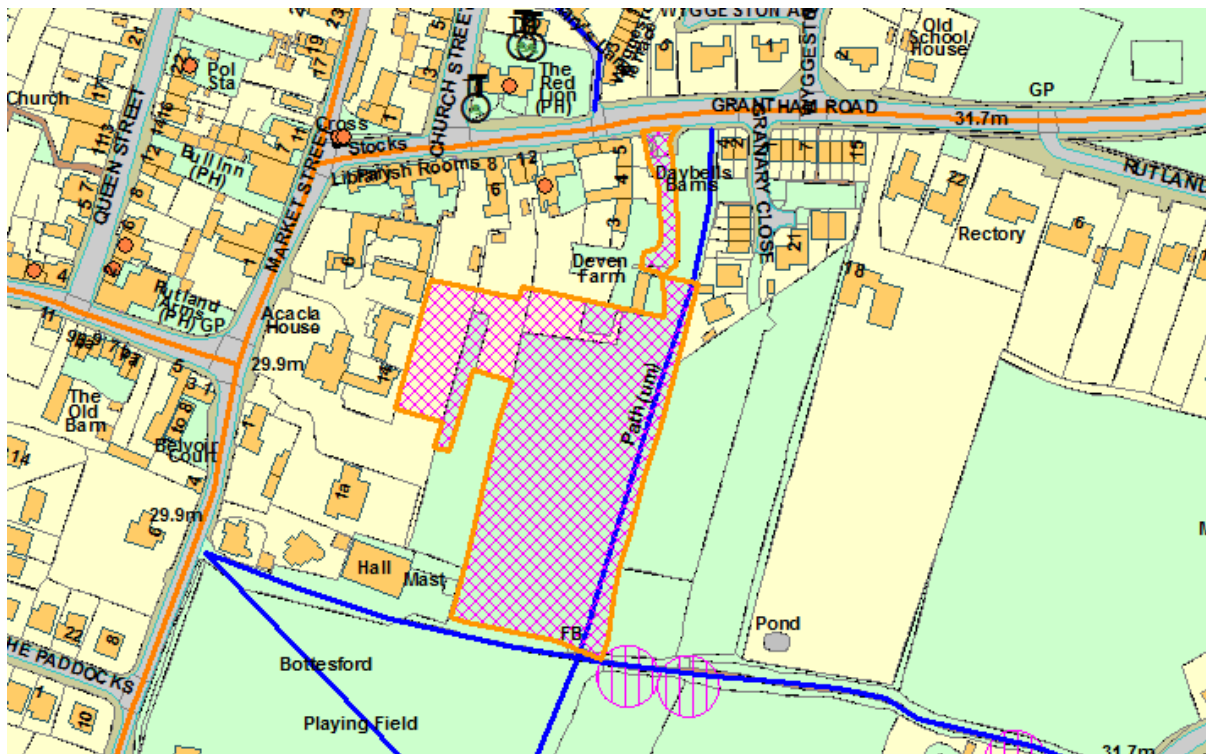


**Reference:** 17/00250/OUT  
**Date Submitted:** 23<sup>rd</sup> February 2017  
**Applicant:** Mr H Daybell  
**Location:** Land Rear of Daybells Farm, Grantham Road, Bottesford  
**Proposal:** Outline application for the erection of 18 dwellings and associated infrastructure.



**Proposal:-**

The application seeks outline planning permission for 18 dwellings. Details of the proposed access have been submitted for consideration, with all other matters reserved.

The application site is currently a paddock and forms a green space within the village of Bottesford, but is located outside of the village envelope and Conservation Area. The site is a proposed allocated site in the emerging Local Plan as BOT1.

**It is considered that the main issues arising from this proposal are:**

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Impact upon wildlife/ loss of green space**
- **Drainage/ flooding issues**
- **Highway safety**

- **Sustainable Development**
- **The role of the Emerging Local Plan.**

The application is required to be presented to the Committee due to the level of public interest.

**History:-** There is no relevant planning history for this site.

**Planning Policies:-**

**Melton Local Plan (saved policies):**

**Policy OS2** - This policy restricts development including housing outside of town/village envelopes.

**Policy OS3:** The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

**Policy BE1:** allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

**Policy H10:** planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

**Policy H11:** planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the council's standards at appendix 6 of this local plan.

**Policy C15:** states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development.

**The National Planning Policy Framework introduces a 'presumption in favour of sustainable development' meaning:**

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

**The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.**

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

**On Specific issues it advises:**

**Promoting sustainable transport**

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

**Delivering a Wide choice of High Quality Homes**

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

**Require Good Design**

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

**Conserving and enhancing the natural environment**

- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

**Meeting the challenge of climate change, flooding and coastal change**

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

**Consultations:-**

<b>Consultation Reply</b>	<b>Assessment of Head of Strategic Planning and Regulatory Services</b>
<p><b>Leicestershire County Council Highways</b></p> <p>Access to the proposed development will be via the existing private access drive to Daybells Farm which has a 2m wide footway as shown on HSSP Architects drawing ref: 7179_03_110. The access road will be 5m wide which will allow vehicles to pass each other at the site access. The applicant has already received planning permission for 4 dwellings under LPA ref: 16/00121/FUL which will mean a total of 22 dwellings will utilise the same access road.</p> <p><b>Based on the submitted drawing the CHA consider the site access is safe and suitable to serve the proposed development</b></p> <p><b>Internal Layout</b></p> <p>As this Application is for outline planning permission with all matters other than access to be reserved for future approval no checks on this part of the Application have been undertaken. The CHA believes that the access road to the site can be improved to an adoptable standard. Subject to these improvements the proposed development road as shown on the indicative layout plan could also be built to an adoptable standard similar to the adjacent Granary Close. This would remove the requirement of the CHA to serve APCs by virtue of the number of dwellings proposed within the development and allow a Local Authority refuse vehicle to serve the site.</p>	<p>Noted comments.</p> <p>The application is for outline permission with access for consideration only. The conditions as requested by the CHA can be included in any permission.</p>

Further information on Leicestershire County Council's requirements for adoption of the proposed development and car/cycle parking requirements are contained in Part 5 of the 6C's Design Guide

[http://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/2017/1/17/7\\_Part\\_5\\_0.pdf](http://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/2017/1/17/7_Part_5_0.pdf).

**Road Safety Considerations**

The CHA has checked its database containing Personal Injury Collision (PIC) data and there have been no PICs on Grantham Road in the last five years. **The CHA do not believe the proposed development will exacerbate the current situation and would not seek to resist the application on highway safety grounds.**

**Accessibility and Connectivity**

The site is well served by public transport with regular bus services to larger conurbations. There is also a selection of shops and other services in the village centre within walking distance of the proposed site. **Therefore the CHA would ask the LPA to condition the delivery of a pedestrian link between the site and the existing pedestrian footway access to encourage more journeys by sustainable modes of travel.**

The CHA understands the Applicant is seeking to realign the Public Right of Way (PROW) around the main access road as part of this application.

**Conclusion**

**On balance the CHA does not consider this development will have a severe impact on the highway in accordance with Paragraph 32 of the NPPF.**

Conditions

1. Access to be provided in accordance with submitted drawings.
2. Drainage to be provided.
3. Submission of Traffic Management Plan.

Informatives included

**Lead Local Flood Authority**

Additional information has been provided by the applicant, including infiltration testing results for the development site.

**The proposed development would be**

Noted comments received. These comments are following the submission of additional information which was requested by the LLFA.

The comments as requested can be included in any permission.

<p><b>considered acceptable to Leicestershire County Council as the LLFA if the following planning conditions are attached to any permission granted.</b></p> <p>1. Surface Water</p> <p>No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Reason To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p> <p>2. Construction Surface Water Management Plan</p> <p>No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Reason To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.</p> <p>3. SuDS Maintenance Plan &amp; Schedule</p> <p>No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Reason To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.</p> <p>Notes to applicant included.</p>	<p>The Flood Risk Assessment for the application has stated that the following mitigation measures can be included:</p> <ul style="list-style-type: none"> <li>• Set finished floor levels to a minimum of 31.82mAOD. Where adjacent ground levels are above 31.82mAOD it is recommended the finished floor level of the dwelling is raised at least 2 brick courses above the adjacent ground (in line with normal building best practice).</li> <li>• Level for level flood plain compensation is provided within the landscaped area to the east of the site.</li> <li>• It is recommended that the Environment Agency’s Flood Resilience Team be approached to include this area within the local flood warning area for Bottesford.</li> <li>• It is recommended that the residents register with the Environment Agency’s Flood Warning Service and implement the Flood Warning and Evacuation Plan.</li> <li>• Produce a detailed SuDS surface water drainage scheme</li> <li>• Ownership of the channel side of the drainage ditch should be determined and an agreement for the construction of a discharge structure should be made.</li> </ul>
<p><b>Leicestershire County Council Ecology</b></p> <p>The Phase 1 and Protected Species Survey</p>	<p>Noted comments received.</p>

<p>submitted in support of the application (Curious Ecologists, May 2017) is satisfactory. The survey indicates that the site does not meet Local Wildlife Site criteria and no evidence of protected species were recorded. No further surveys are therefore required at this stage.</p> <p>The application site now falls within a 'Swift Alert Area' and we would be looking a significant number of Swift nest boxes built within the new dwellings on the development. I am unable to specify specific locations and numbers at this stage but would be happy to comment at the reserved matters stage. However, it may be appropriate to add a condition requiring the inclusion of these boxes at this stage so the applicant is aware of the requirement. Further information can be found in the attached guidance note.</p>	<p>A condition for swift boxes can be included in any permission.</p> <p>A local resident has raised concerns regarding Bats, however LCC Ecology have not raised this matter.</p>
<p><b>Leicestershire County Council Rights of Way</b></p> <p>The line of Public Footpath F72 is not affected by any permanent buildings within the illustrative layout and runs through what it is suggested will be a green/nature edge to the site. This layout retains an attractive route for the existing footpath and therefore there is no need for diversion under the terms of the Town and Country Planning Act.</p> <p>Diverting a footpath in the interests of the landowner is an option in circumstances where a diversion is preferable but not needed for development. However I think that it would also be difficult to meet the criteria set out in the Highways Act in this particular case.</p> <p>As there is a need for final detailed discussion on the treatment of the Public Footpath I recommend that provision is dealt with as a reserved matter and that the following condition should be placed on any outline permission granted for the site:</p> <ol style="list-style-type: none"> <li>1. No development shall take place until a scheme for the treatment of the Public Right of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers.</li> </ol> <p>Reason: In the interests of amenity, safety and</p>	<p>Noted comments received.</p> <p>The Agent is aware of the comments that have been raised by the Public Rights of Way Officer.</p>

<p>security of users of the Public Right(s) of Way.</p> <p>In particular such a scheme should consider the following:</p> <ul style="list-style-type: none"> <li>· The footpath has a tarmac surface which I would expect to be retained or improved to a 2m width if the immediate surroundings are landscaped.</li> <li>· No trees or shrubs should be planted within 1 metre of the edge of the Public Right(s) of Way. Any trees or shrubs planted alongside a Public Right of Way should be non-invasive species.</li> <li>· The gate on the footpath at the northern end of the site will become obsolete for the purposes of stock control and should be removed.</li> <li>· Safety for members of the public using the footpath whilst the development is taking place.</li> <li>· Any damage caused to the surface of the footpath, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.</li> </ul>	
<p><b>Leicestershire County Council Developer Contributions</b></p> <p><b><u>Education</u></b></p> <p><b>Primary Schools</b></p> <p>The site falls within the catchment area of Bottesford C of E Primary School. <b>The School has a net capacity of 315 and 238 pupils are projected on roll should this development proceed; a surplus of 77 places after taking into account the 5 pupils generated by this development.</b> A total of 7 pupil places are included in the forecast for these schools from S106 agreements for other developments in this area and have to be discounted. This increases the total surplus at this school to 84 pupil places. There are no other primary schools within a two mile walking distance of the development. <b>An education contribution will therefore not be requested for this sector.</b></p> <p><b>Secondary Schools</b></p> <p>The site falls within the catchment area of Bottesford Belvoir High School. <b>The School has a net capacity of 650 and 577 pupils are projected on the roll should this development proceed;</b> a surplus of 73 pupil places. A total of 5 pupil places are included in the forecast for this school from S106 agreements for other</p>	<p>Noted comments received.</p> <p>There are no requests for education contributions</p>



developments in this area and have to be discounted. This increases the total surplus at this school to 78 pupil places.

There are no other 11-16 schools within a three mile walking distance of the development.

**An education contribution will therefore not be requested for this sector.**

### **Post 16**

This nearest school to the site is Melton Vale Post 16 Centre. The College has a net capacity of 640 and 455 pupils are projected on roll should this development proceed; a surplus of 185 pupil places after taking into account the 1 pupil generated by this development.

There are no other Post 16 establishments within a three mile walking distance of the development.

There are currently no pupil places in this sector being funded from S106 agreements for other developments in the area to be discounted.

**An education contribution will therefore not be requested for this sector.**

### **Special schools**

As this development is less than 250 houses with two or bedrooms a claim for a Special School contribution will not be made.

### **Libraries**

No claim from Library Services. Bottesford library currently exceeds upper threshold in terms of standards for stock provision and will not be affected by the proposed development.

### **Civic Amenities**

In general, residents use the closest Civic Amenity Site, which for the proposed development would be the Civic Amenity Site at Bottesford. Residents are entitled to use any Civic Amenity Site within Leicestershire to deposit their waste but in general use their nearest site and this is observed within surveys.

The nearest Civic Amenity Site to the proposed development is located at Bottesford and residents of the proposed development are likely to use this site. The Civic Amenity Site at Bottesford will be able to meet the demands of the proposed development within the current site thresholds without the need for further development and therefore no contribution is required on this occasion.

No contribution is required for Library services.

No contribution request has been made for Civil Amenities.

<p><b>Environment Agency</b></p> <p>No objections to the amendments and confirm that the condition previously requested on our letter dated 8 November 2017 (ref. LT/2017/122096/02-L01) remains pertinent.</p> <p>The site falls in Flood Zones 3 &amp; 2 and the Sequential Test will apply. Providing Melton Borough Council are satisfied that the proposal has passed the Sequential Test then the Agency has no objections, in principle, to the proposed development.</p> <p>The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.</p> <p><b>Condition</b></p> <p>The development permitted by this permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Daybell Barns, Grantham Rd, Bottesford Version 3.0, RAB: 1277L RAB Consultants Ltd 02/10/2017 and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> <li>1. Finished floor levels are set no lower than 31.82m above Ordnance Datum (AOD).</li> <li>2. The development shall not be commenced until such time as a scheme to ensure adequate floodplain compensation is included in the design and layout and has been submitted to, and approved in writing by, the local planning authority.</li> </ol> <p>The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p><b>Reason</b></p> <ol style="list-style-type: none"> <li>1. To reduce the risk of flooding to the proposed development and future users.</li> <li>2. To prevent flooding by providing sufficient flood plain storage compensation.</li> </ol> <p>.</p>	<p>Noted comments received. The requested conditions can be included on any permission.</p> <p>As part of the application, a flood risk assessment and sequential test has been submitted. In addition to this, the site is a proposed allocation in the emerging Local Plan.</p>
--	---

**Melton Borough Council Housing Policy Officer**

Total dwellings – 18

Affordable Housing contribution at current Local Plan level – 7 dwellings + (0.2 commuted sum).

Affordable/intermediate/social rented – 5 rented  
Intermediate housing – 2

Evidence in the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA, Jan, 2017) shows a need for a split of 80% rented and 20% intermediate housing. The Melton Borough Council Housing Needs Study (HNS, 2016), which examines housing need at a more detailed ward level, has found a c.5% need for starter homes, which can fall within the intermediate housing.

The HNS, rather than the HEDNA, needs to be used as evidence for the housing mix because it has based demographic change likely to be associated with 245dpa level of housing delivery (the amount stated in the Towards a Housing Requirement for Melton BC document, Jan 2017), to identify the optimum housing mix. This is set out in the table below. Affordable housing is split between intermediate housing and social/affordable rented. This is to reflect the difference in the housing mix requirements of each.

	1- bed	2- bed	3- bed	4+ bed
Market	5%	30%	45- 50%	15- 20%
Intermediate	15- 20%	50- 55%	25- 30%	0-5%
Social/affordable rented	30- 35%	35- 40%	20- 25%	5- 10%
All dwellings	15%	30- 35%	35- 40%	15%

As this site is in Bottesford and so is classed as being in the rural area, the mix for the market housing would more specifically need to be in accordance with the percentages outlined in figure 6.6 and figure 6.7. The mix for the

Noted the comments received.

The cascade as provides by the Housing Policy Officer is:

( to be dealt with in order of priority eg. i. first, then ii etc.)

- i. Has, immediately prior to occupation, been ordinarily resident within the Parish of Bottesford for at least a 12 month period; or
- ii. Resides in either the Parish of Barkstone, Plungar and Redmile or in the Parish of Belvoir; or
- iii. Has formed any strong connection with the Parish of Bottesford; or
- iv. Is a person who resides in the Borough of Melton but outside the town Melton Mowbray; or
- v. Is a person from the Borough of Melton and in housing need.

A strong connection for the purpose of this s.106 agreement must give regard to:

- Immediate family associations, limited to parent, sibling or adult child, within the Parish of Bottesford, the Parish of Barkstone, Plungar and Redmile or in the Parish of Belvoir;
- Prior occupation within the Parish of Bottesford for a minimum of 3 out of the 5 years prior to occupation;
- Permanent employment or an offer of employment in the Parishes of Bottesford, Barkstone, Plungar and Redmile or Belvoir;
- At least one member of the household needs to move within or close to the Parishes of Bottesford, Barkstone, Plungar and Redmile or Belvoir to be close to relatives or other persons to provide or receive significant amounts of care and support.

The application proposes 6 dwellings for affordable housing, this equates to 33%, which is under the current affordable housing percentage requirement.

The application as submitted has proposed the following housing mix:

- 6 x 2 bed semi-detached (Affordable housing)

<p>affordable housing, would need to be in accordance with the percentages outlined in figure 6.9 and figure 6.10.</p> <p><b>Estimated Size of Dwellings Needed 2011 to 2036 – Market Housing – by ward</b></p> <table border="1"> <thead> <tr> <th></th> <th>1-bed</th> <th>2-bed</th> <th>3-bed</th> <th>4+ bed</th> </tr> </thead> <tbody> <tr> <td>Bottesford</td> <td>5.6%</td> <td>37.6%</td> <td>45.5%</td> <td>11.3%</td> </tr> </tbody> </table> <p><b>Estimated Size of Dwellings Needed 2011 to 2036 – Affordable Housing – by ward</b></p> <table border="1"> <thead> <tr> <th></th> <th>1-bed</th> <th>2-bed</th> <th>3-bed</th> <th>4+ bed</th> </tr> </thead> <tbody> <tr> <td>Bottesford</td> <td>41.0%</td> <td>38.6%</td> <td>18.9%</td> <td>1.6%</td> </tr> </tbody> </table> <p>Recommendations for the market housing mix are:  3 x 2 bed houses  1 x 2 bed bungalow  4 x 3 bed houses  1 x 3 bed bungalow  2 x 4 bed houses  Total: 11</p> <p>Recommendations for the <u>affordable housing mix</u> are as follows:  <i>Affordable/intermediate/social rented:</i>  3 x 1 bed houses  3 x 2 bed houses  1 x 3 bed house  Total: 7</p> <p><i>Intermediate housing:</i>  2 x 2 bed houses – Starter Homes  Total: 2</p> <p>A local connection cascade would need to be applied on this application.</p> <p>The affordable housing would need to be built out to Housing Quality Indicators (HQI) standards.</p>		1-bed	2-bed	3-bed	4+ bed	Bottesford	5.6%	37.6%	45.5%	11.3%		1-bed	2-bed	3-bed	4+ bed	Bottesford	41.0%	38.6%	18.9%	1.6%	<ul style="list-style-type: none"> <li>• 2 x 2 bed semi-detached dwellings</li> <li>• 4 x 2 bed bungalows</li> <li>• 3 x 3 bed detached dwellings</li> <li>• 3x 4 bed detached dwellings</li> </ul> <p><b>Following the comments received, the Agent has confirmed that they are willing to provide 7 affordable units for the development, as part of a S106 agreement.</b></p>
	1-bed	2-bed	3-bed	4+ bed																	
Bottesford	5.6%	37.6%	45.5%	11.3%																	
	1-bed	2-bed	3-bed	4+ bed																	
Bottesford	41.0%	38.6%	18.9%	1.6%																	
<p><b>Melton Ramblers</b></p> <p>The Ramblers preferred option for the footpath would be to maintain the existing line of the path and not have the path down the estate road.</p>	<p>Noted the comments received.</p> <p>LCC PROW Officer has been consulted on the application and comments are provided above.</p>																				
<p><b>Bottesford Parish Council</b></p> <p>Support the proposed development</p>	<p>Noted the comments received.</p> <p>The proposed development does not include any 5 bed properties or 3 storey properties. These</p>																				

<ul style="list-style-type: none"> <li>• Would prefer no 5 bed properties and no 3 storey properties.</li> </ul>	<p>would also be matters that would be dealt with at reserved matters stage.</p>
<p><b>Severn Trent Water</b></p> <p>No Objection to the proposal subject to the inclusion of the following condition.</p> <p>The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.</p> <p>Reason To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.</p> <p>Suggested Informative also included.</p>	<p>Noted the comments received.</p> <p>Conditions as requested can be included in any permission.</p>
<p><b>Trent Valley Internal Drainage Board</b></p> <p>The site is within the Trent Valley Internal Drainage Board district. The Board maintained Easthorpe Sewer, an open watercourse, is located a short distance to the east of the southern boundary of the site and to which Byelaws and the Land Drainage Act 1991 applies.</p> <p>No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The Board would wish to be consulted directly if the following cannot be achieved and discharge affects the Board's District:</p> <ul style="list-style-type: none"> <li>• Existing catchments and sub-catchments to be maintained.</li> <li>• Surface water run-off limited to 1.4l/s/ha for pumped and lowland catchments.</li> <li>• Surface water run-off to the greenfield rate for other gravity systems.</li> </ul> <p>Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage systems must be agreed with the LLFA and LPA.</p>	<p>Noted the comments received.</p> <p>The requested condition is similar to others requested. The additional information can be included as an informative.</p>

**Representations:-**

A site notice was posted, advert placed in the Melton Times and neighbouring properties consulted. As a result, objections were received from nine separate households. An objection has also been submitted on behalf of three residents. The contents of these objections have been summarised and assessed below

<b>Representations</b>	<b>Assessment of Head of Strategic Planning and Regulatory Services</b>
<ul style="list-style-type: none"> <li>• Loss of green space.</li> <li>• Loss of arable land.</li> <li>• Loss of trees, flora, fauna and wildlife.</li> <li>• Concerns about bats (have bats in loft).</li> </ul>	<p>The site is currently paddock land.</p> <p>LCC Ecology have been consulted on the application and raise no objection to the proposed development.</p>
<ul style="list-style-type: none"> <li>• Visually intrusive.</li> <li>• Loss of privacy and overlooking.</li> <li>• Altering country into urban.</li> <li>• Lose rural feel of village – spoil character of the village.</li> <li>• Layout should place houses further back from western boundary and or restrict to single storey.</li> <li>• Development would destroy rural views.</li> <li>• Short garden lengths indicated – there is an expectation of a minimum of 10m – harm to existing and future occupants amenity and breach policy D1.</li> <li>• Development is overly dense.</li> <li>• Whilst outline, the proposed layout fails to demonstrate that the site can adequately accommodate the number of dwellings. Should be refused on overdevelopment.</li> </ul>	<p>The application is for outline permission for access to be considered only at this stage. An indicative layout has been submitted as part of the proposal, which demonstrates how the site could be developed, but this could be changed.</p> <p>The site is a proposed allocation in the emerging Local Plan, which has been through Examination in Public and as such it is considered that the principle of development on this site would be acceptable.</p> <p>Melton Borough Council do not have any minimum garden length standards. As the application is for outline permission, the layout will be determined at reserved matters stage. It is considered that the site is capable of accommodating the number of dwellings proposed.</p>
<ul style="list-style-type: none"> <li>• Change of existing footpath from pleasant walk through fields to through housing development.</li> <li>• Only place to walk dog.</li> </ul>	<p>LCC PROW have been consulted on the application and raise no objection. A right of way is to be retained through the site.</p>
<ul style="list-style-type: none"> <li>• Increase in traffic – noise and disruption.</li> <li>• Public transport is becoming more limited.</li> <li>• Congestion in village caused by parked cars.</li> <li>• Proposed access is inadequate – visibility splays cannot be achieved within the application site or adopted highway.</li> </ul>	<p>LCC Highways have not raised an objection to the proposed development.</p> <p>The proposed development will provide off street parking and it is not for the developer to resolve existing parking problems in the village.</p>
<ul style="list-style-type: none"> <li>• Increase flood risk.</li> <li>• Site is in flood zone 3 – need a sequential test.</li> <li>• 5 allocated sites, 3 are available and at lower risk of flooding.</li> <li>• 4 sites have been identified in the SHLAA which are at a lower risk of flooding. Flood Risk Assessment and Sequential Test only considers one of these sites.</li> </ul>	<p>No objections have been raised by statutory consultees, subject to the inclusion of appropriate conditions to ensure safety from floods.</p> <p>A flood risk assessment and sequential test have been submitted for the application, which have been considered below.</p>

<ul style="list-style-type: none"> <li>• Have identified other land suitable for sequential test which has been missed.</li> </ul>	<p>Details of the other identified sites have not been provided.</p>
<ul style="list-style-type: none"> <li>• Site is outside village envelope for development.</li> <li>• Premature given the Neighbourhood Plan and Local Plan are to be finalised.</li> <li>• Violation of policy EN4 – area of separation between Bottesford and Easthorpe.</li> </ul>	<p>The site lies adjacent to the village envelope, but is located close to the village centre and surrounded by other residential development.</p> <p>No Neighbourhood Plan has been submitted for consultation or examination for Bottesford. The application has been submitted and needs determining in the context of planning policy at the point in time at which the decision will be made on the application.</p> <p>Areas of Separation are designed to avoid the covalence of settlements. The proposed development is not considered to result in the covalence of Bottesford and Easthorpe. Areas of Separation do not have a defined boundary and it is considered in this instance that the proposed development would be acceptable.</p>
<ul style="list-style-type: none"> <li>• Pressure on local Doctors</li> <li>• Who pays for the infrastructure.</li> <li>• There are a number of unsold properties in Bottesford, is this the right location for development?</li> <li>• Errors/misleading statements in application documents.</li> </ul>	<p>The developer would be responsible for ensuring that any infrastructure required is paid for. There have been no requests made from LCC for developers contributions.</p>

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Application of Planning Policy</b></p> <p>The NPPF advises that proposed development that accords with an up-to-date Local Plan should be approved, <b>and proposed development that conflicts should be refused unless other material considerations indicate otherwise.</b></p> <p>The NPPF recognises that housing should meet the needs of present and future generations (para 10). It continues to recognise the importance for local planning authorities to understand the housing requirements of their area (para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in para 110-113, in seeking to ensure that housing mix meets local housing need.</p> <p>The NPPF seeks to boost the economy and house supply to meet local housing needs. The NPPF advises that local housing policies will be considered out of date where the Council cannot</p>	<p>The application is required to be considered against the Development Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>Bottesford is considered to perform well in sustainability terms owing to its community facilities and access links.</p> <p><b>5 year land supply issues:</b> The Council’s most recent analysis shows that there is the provision of a 5 year land supply and as such the relevant housing policies are applicable. Therefore this consideration does not weigh against the Development Plan.</p> <p><b>However, the 1999 Melton Local Plan is considered to be out of date and as such, under paragraph 215 of the NPPF can only be given limited weight.</b> The application is required to be considered against the Local Plan and other</p>

<p>demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported.</p>	<p>material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth. This means that the application must be considered under the ‘presumption in favour of sustainable development’ as set out in paragraph 14 which requires harm to be balanced against benefits and refusal only where “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.</p> <p>The proposal therefore complies with the NPPF and saved policies of the Local Plan in terms of principle, being located within a sustainable settlement.</p>
<p><b>The (new) Melton Local Plan – Submission version.</b></p> <p>The new local plan has now completed Examination and the Inspector has recently suggested proposed Modifications which are currently out for public consultation. None of these specifically address this site.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> <li>● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);</li> <li>● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</li> <li>● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).</li> </ul> <p>The Submission version of the Local Plan identifies Bottesford as a Local Service Centre in respect of which under policy SS1 and SS2 the proposal as an allocated site is considered acceptable</p> <p>Policy SS1 –Presumption in favour of Sustainable Development: when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly</p>	<p><b>The Local Plan has progressed through examination stage and the Main Modifications are currently out for consultation.</b></p> <p><b>The relatively minimal amount of work required to complete the local plan modifications that do not impact upon the main policies of the plan means the plan can be afforded significant weight.</b></p> <p>The site is identified for housing purposes in the Emerging Local Plan and referenced as BOT 1 and ranked first of the four allocated sites, the summary of assessment describes the site: Well located to the village and would represent a small infill site with good connectivity to the surrounding area. Some concern over access and loss of agricultural land, however, consider it to be a good site for development. Would need to come forward with the adjacent site. Part of the site is in (revised) Flood Zones 2 and 3 (6%) which will affect the final layout and require mitigation. The updated site assessment work has included refinement of the site area calculations and developable areas. The potential capacity has therefore increased from 35 to 41 on this basis.</p> <p>The site specific policy for this allocated site states:</p> <p>Policy BOT 1: Development of the site reference BOT 1 will be supported provided:</p> <ul style="list-style-type: none"> <li>● It is ensured that no adverse impacts will affect the nearby Local Wildlife Site located in proximity to the southern boundary.</li> <li>● the footpath link through the centre of the</li> </ul>



<p>to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:</p> <p>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the national planning policy framework taken as a whole; or</p> <p>Specific policies in that framework indicate that development should be restricted.</p> <p>Policy SS2 –Development Strategy: Provision will be made for the development of at least 6,125 homes and some 51 hectares of employment land between 2011 and 2036 in Melton Borough.</p> <p>Development will be distributed across the Borough</p> <p>Policy C1 (A) – Housing Allocations: New housing will be delivered within the Local Plan on a number of sites to which this site forms one of those, the policy continues that Housing proposals will be supported where they provide;</p> <ol style="list-style-type: none"> <li>1 A mix of dwellings in accordance with Policy C2;</li> <li>2 Affordable housing in accordance with Policy C4;</li> <li>3 The necessary infrastructure required to support development in accordance with Policy IN1 and IN2; and</li> <li>4 High quality design in accordance with Policy D1.</li> <li>5 The requirements as set out in Appendix D1</li> </ol> <p><b>Bottesford Parish Neighbourhood Plan</b></p> <p>Bottesford PC are a qualifying body with an</p>	<p>site to Grantham Road is retained and enhanced with additional landscaping and improved boundary treatment.</p> <ul style="list-style-type: none"> <li>• the site can be developed as a single comprehensive development.</li> <li>• flood mitigation measures have been put in place and the drainage infrastructure is available to accommodate the surface water from this site.</li> </ul> <p>The site is identified for housing purposes in the Emerging Local Plan for an <b>estimated</b> number of 41 dwellings. This application does not cover the whole of the site allocation area.</p> <p>The Agent has stated that the adjoining landowner does not want to presently want to bring the other section of land forward for development. Although the layout submitted for the development is only indicative, it is possible for the other area of the allocated site to be developed after the area currently under consideration.</p> <p>The proposal accords with the requirements of Policies IN1 and IN2 which strongly emphasises the need to provide housing in a location that can take advantage of sustainable travel and make appropriate provision for parking and ensure that there is not a significant impact caused to the Highway network.</p>
--	---

<p>intention to develop a Neighbourhood Plan.</p> <p>However no Neighbourhood Plan has been published and as such cannot be a consideration in this instance.</p>	
<p><b>Sequential test</b></p> <p>Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding and that development should not be permitted if there are <i>reasonably available sites appropriate for the proposed development</i> in areas with a lower probability of flooding.</p>	<p>The site is allocated within the New Local Plan and therefore assessed in accordance with the Strategic Flood Risk Assessment and in accordance with PPG when considering a sequential test.</p> <p>A Flood Risk Assessment, Sequential Test and Exception Test have been submitted as part of the application.</p> <p>Seven sites in Bottesford have been considered in the submitted Sequential Test. These have included sites that are considered to be appropriate for the proposed development. However a number of these sites are considered to be at a similar risk of flooding as the application site. Additionally the sites need to be “reasonably available” and appropriate for the development. It is considered that the other sites included are not appropriate for the development proposed, have other technical issues or are not available.</p> <p>An exception test has been submitted which states that the development would be sustainable and help deliver housing in the Borough. In addition to this, it is proposed that the development will use SUDS to ensure that there is no flood risk increase elsewhere. On this bsos it is considered that there are ‘wider sustainability benefits’ and the Exception Test is satisfied.</p>

### Conclusion

The Borough is considered to have a sufficient supply of deliverable housing sites in line with current planning guidance, with the most recent evidence pointing to approx. seven years. This site contributes to that position.

Affordable housing provision remains one of the Council’s key priorities. This application presents some affordable housing that helps to meet identified local needs. Accordingly, the application presents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs. Bottesford is considered to be a highly sustainable location having access to employment, health care facilities, primary and secondary education, local shops, and regular bus and train services. It is considered that these are material considerations that weigh in favour of the application. In addition to this, the application site forms part of BOT1, a

proposed allocated site in the emerging Local Plan and will help to deliver housing in the Borough.

There are a number of other positive benefits of the scheme which include surface water management in the form of a sustainable drainage system.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state and the impact on the character of the rural village.

**In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a green field site and impact upon character are considered to be of limited harm.**

**This is because, in this location, the character of the site provides potential for sympathetic design, careful landscaping, biodiversity and sustainable drainage opportunities, the site is also allocated for development in the submitted Melton Local Plan.**

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that permission can be granted.

**RECOMMENDATION: Permit, Subject to:-**

- (a) The completion of an agreement under S106 for the following:
  - (i) Affordable housing provision for 7 units.
- (b) The following conditions:
  1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
  2. No development shall commence on the site until approval of the details of the "layout, scale, external appearance of the buildings and the landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority
  3. The proposed development shall be carried out strictly in accordance with plan drawing numbers 7179\_03\_110 received by the Local Planning Authority on 23rd February 2017 and 7179\_00\_01, received by the Local Planning Authority on 16th March 2017.
  4. The reserved matters as required by condition 2 above, shall provide for a mixed of types and sizes of dwellings that will meet the area's local market housing need.
  5. Prior to first use of the development hereby permitted, the vehicular access to the site shall be provided in general accordance with HSSP Architects Site Access drawing reference: 7179\_03\_110. Any street furniture or lining that requires relocation or alteration shall be carried out entirely at the expense of the Applicant.

6. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including private access drives, and thereafter shall be so maintained.
7. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including details of routing of construction traffic, wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
8. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority.
9. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.
10. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
11. No development shall take place until a scheme for the treatment of the Public Right of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers.
12. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
13. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.